

sentees on House bill No. 323 (industrial school bill).

Lost by the following vote:

Yeas—12.

Burns.	McGee.
Dibrell.	Miller.
Gough.	Stafford.
James.	Stone.
Johnson.	Terrell.
Lewis.	Wayland.

Nays—9.

Davidson.	Lloyd.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Ross.
Kerr.	

Absent.

Atlee.	Potter.
Goss.	Turney.
Linn.	Yantis.
Neal.	Yett.
Odell.	

Absent—Excused.

Sebastian.

(Senator Atlee in the chair.)

On motion of Senator Hanger, the regular order of business was suspended to take up, on third reading,

House bill No. 832, A bill to be entitled "An Act to amend Article 3433, of the Revised Statutes of the State of Texas, of 1895, relating to the organization of militia."

The bill was read a third time, and passed.

On motion of Senator Grinnan, the regular order of business was suspended to take up, on third reading,

House bill No. 790, A bill to be entitled "An Act to render more effective and efficient the present road law of the State of Texas in its application and operation in the county of Calhoun, and to authorize and empower the said county to issue bonds for the construction and maintenance of public roads and highways within the said county."

The bill was read a third time, and passed by the following vote:

Yeas—19.

Atlee.	Kerr.
Burns.	Lewis.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Wayland.
Johnson.	

Nays—2.

Lloyd. Ross.

Absent.

Goss.	Terrell.
Linn.	Turney.
Neal.	Yantis.
Odell.	Yett.
Potter.	

Absent—Excused.

Sebastian.

On motion of Senator Lloyd, the Senate adjourned until 10 a. m. tomorrow.

NINETIETH DAY.

Senate Chamber,

Austin, Texas, Tuesday, May 23, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Absent.

Atlee.	Odell.
Goss.	Potter.
Lewis.	Ross.
Linn.	Stone.
Neal.	Yantis.

Absent—Excused.

Sebastian.

Senator Hanger moved a call of the Senate, which was ordered, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Absent.

Atlee.	Odell.
Goss.	Potter.
Lewis.	Ross.
Linn.	Stone.
Neal.	Yantis.

Absent—Excused.

Sebastian.

No quorum.

On motion of Senator Stafford, the Senate adjourned for one hour (to 11:05 a. m.).

AFTER ADJOURNMENT.

The Senate was called to order at 11:05 a. m. by Lieutenant-Governor Browning.

Roll called. Quorum present, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Lewis.	Yett.

Absent.

Atlee.	Odell.
Goss.	Potter.
Linn.	Ross.
Neal.	Yantis.

Absent—Excused.

Sebastian.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Stafford, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 845, being a bill to be entitled "An Act to amend Article 5318, Title CVIII, of the Revised Civil Statutes of the State of Texas, prescribing penalties against trusts and conspiracies against trade,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

STAFFORD, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 830, being a bill to be entitled "An Act to amend Section 12, of Chapter 54, Acts of 1891, special road law for Mills, Hunt, Hill and Fayette counties, authorizing the employment of a county road commissioner, adding thereto the proviso that each county commissioner may qualify and act as road commissioner in his precinct,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 159, being a bill to be entitled "An Act to amend Article 4954, Title X, Chapter 2, of the Revised Civil Statutes of the State of Texas, relating to the protection of live stock,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

BURNS, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 572, being a bill to be entitled "An Act to amend Article 148, Chapter 2, Revised Statutes of the State of Texas, relating to the payment for construction or improvement of State asylums,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

BURNS, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 517, being a bill to be entitled "An Act granting permission to W. H. Owen to bring suit against the State of Texas in the District Court of Travis county, to ascertain and determine the amount, if any, due him for allowance as quartermaster and commissary of the frontier battalion from the first day of April, 1895, to the first day

of February, 1899, for his traveling and other contingent expenses."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, and further recommend that it be not printed, for the reason that the same bill as Senate bill passed the Senate.

BURNS, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 647, being a bill to be entitled "An Act to amend Article 873 (983), Title XXV, of the Revised Civil Statutes of the State of Texas, and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

BURNS, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 820, being a bill to be entitled "An Act to prevent and punish celebration of marriages without license,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

BURNS, Acting Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 135, being a bill to be entitled "An Act to amend Article 788, Chapter 3, of the Penal Code of the State of Texas, relating to the use of animals without the consent of the owner,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, and that it be not printed.

Floor report—Terrell, Grinnan, Miller, James and Davidson.

TERRELL, Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 331, being a bill to be entitled "An Act defining a further cause of continuance in civil and criminal cases, and to declare an emergency,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 4, a Concurrent Resolution proposing an amendment to the Constitution of the United States,

And find the same correctly enrolled, and have this day, at 10:45 a. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 92, being a bill to be entitled "An Act to amend Article 3893, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, 1895, relating to the investment of the permanent school fund of the State of Texas in county bonds,"

And find the same correctly enrolled, and have this day, at 10:45 a. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 290, being a bill to be entitled "An Act to amend Article 4968, (4584), Title CII, Chapter 4, of the Revised Statutes of 1895, relating to estrays,"

And find the same correctly enrolled, and have this day, at 10:45 a. m., pre-

sented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 330, being a bill to be entitled "An Act to grant leave to G. W. Burkitt, of Anderson county, Texas, to bring suit against the State to redeem from forfeiture and resale Section No. 58, Block H., Waco & Northwestern Railroad Company survey of land, abstract No. 852, in Hardeman county, Texas,"

And find the same correctly enrolled, and have this day, at 10:45 a. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

SPECIAL COMMITTEE REPORT.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: We, your committee appointed to investigate and make a report upon the management of the Deaf, Dumb and Blind Institute for the colored youth of Texas, beg leave to submit the following report:

Those who sought this investigation preferred charges against the management of said institution, which may be generally stated as follows, to wit:

1st. A charge that the superintendent, J. S. Jenkins, had on or about the 9th or 10th day of April, 1899, fired a pistol at one Sylvester Williams, an inmate of said institution.

2nd. That the institution was improperly and extravagantly managed.

3rd. That the inmates thereof, or the pupils, were cruelly treated, both by the monitor, Rector Lawrence, and the superintendent, J. S. Jenkins.

4th. That the patronage and the trade of the institution were enjoyed to a reprehensible degree by certain of the trustees of said institution.

5th. That the monitor, Rector Lawrence, was intemperate in his habits.

The above charges will be taken up and disposed of in the order in which they are mentioned.

As to the first charge, we have con-

cluded that it is without foundation in fact; but that such charge results, in all probability, from the incident, that on one occasion, about the time named, April 9th or 10th, the superintendent discharged his pistol from his window in the neighborhood of some deaf boys, inmates of the institution, for the purpose of trying to attract their attention, after ineffectual efforts on his part to try to attract their attention by waving his hand and hollowing. And in this connection, it is but just to the superintendent, for us to state, that in the main that his conduct towards the pupils has not been characterized by unkindness. And while we deem the firing of a pistol, under the circumstances named, as being reprehensible, yet we do not find that he is in the habit of using his pistol recklessly among the pupils of the institution. Yet the same ought not to be used at all about the institution.

As to the second charge of extravagance on the part of the managers of this institution, it does not seem to be well founded, although the management of the resources at hand is not efficient. The purchases made for the institution, as well as the consumption and use of the same, so far as we could ascertain, were done in a careful and economical way. We believe, however, that the labor of some of the inmates of this institution could be very profitably utilized on the farm connected with the same, in the cultivation and production of such vegetables and other food products as are used by the institution. The land connected with the institution is by no means entirely used, and we find that there is a very meager garden, and only a small farm, of some thirty-five or forty acres, while there are a good many able-bodied inmates, who could put in a good portion of their time, with profit to themselves and the institution. Want of good management was more particularly shown in the failure to raise the vegetables required by the institution and of many other food products that are required, than in any other particular.

We find that there is no just reason for criticism of this institution on the ground that it has entertained visitors and outside people to any considerable extent at the expense of the State. All of the evidence before the committee, except that of one witness, indicated that the material purchased by the State was from a comparative standpoint, used in an economical and frugal way.

In conclusion, however, we would suggest that the management of this institution should see that it produce more for itself and purchase less.

The third charge, of cruel treatment, seems to grow out of the fact that the monitor has found it necessary to administer severe punishment on some occasions to some of the boys in the institution. Many of the boys are quite large, some of them grown men, and naturally with evil tempers and rebellious dispositions. We could hardly see how it would be possible to manage the inmates of this institution, and for that part, any other institution of like character, without, in some instances, administering corporal punishment, and that, too, in some cases, in very wholesome doses. We do not find that an unnecessary amount has been exercised by the authorities of this institution. We do find that it is true that in some cases it has been necessary to use considerable violence, but it has been in those cases where it was necessary to quell and bring into subjection a vicious subject.

On the fourth charge, on the subject of patronage being given out to the trustees of the institution, we find that the evidence is meagre and somewhat uncertain. It is, however, established beyond question, that the president of the Board of Trustees, is a member of the firm of Morley Bros., and that said firm sells a part of the drugs, and in some cases, whiskey, which seems to be purchased usually as a medicine for this institution. While we have not found that the State has suffered any by reason of the trade given to this firm, still we believe it to be a reprehensible practice for a trustee of any institution of this character to furnish it supplies, and would suggest that every institution of this character be required in future to purchase from other dealers than the trustees.

We were requested to investigate the habits of the monitor, Rector Lawrence, in the matter of intemperance. We could not say from the evidence that the monitor, Rector Lawrence, is either a drunkard or immoderately intemperate. It is highly probable, however, that he indulges in the use of whiskey to a reprehensible extent, considering the position he holds, and that his use of the same is too public for the good of the pupils. We, however, do not wish to be understood as charging that he is intemperate to an extent to impair his usefulness, except for the bad example, but wish to be understood as simply saying that he does drink to some extent, and that too, apparently, in such a manner that the teachers and pupils of the institution may be offended and injured by his example.

We will sum up: On the whole, all things considered, we find that this institution is being conducted in about as

efficient and proper manner as could be reasonably expected.

Respectfully submitted,

TERRELL,
TURNERY,
GREER.

BILLS AND RESOLUTIONS.

By Senator Davidson:

Senate bill No. 363, A bill to be entitled "An Act to amend Article 5066, Title CIV, Chapter 2, Revised Statutes, relating to the rendition, listing and assessment of property for taxation."

Read first time, and referred to the Committee on Internal Improvements.

By Senator Stafford:

Senate bill No. 364, A bill to be entitled "An Act to prohibit counties, cities and towns in this State from contracting any debt or issuing any notes, bonds or other evidences of debt, payable in any other medium than lawful money of the United States of America, and declaring null and void all debts, notes, bonds or other evidences of debt hereafter attempted to be issued by such counties, cities or towns, payable in any specific article or articles, whether such article or articles be of existing legal tender quality or not, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to the Committee on State Affairs.

Call concluded.

EXECUTIVE MESSAGE.

The following message was received:

To the Honorable, the Senate.

The advice and consent of the Senate is asked to the following appointments as notaries public:

ANGELINA COUNTY.

Lufkin—Miss Evie Butler.

MEDINA COUNTY.

Devine—A. S. Perkins.

ELLIS COUNTY.

Waxahachie—M. B. Ray.

CASS COUNTY.

Linden—Henry D. Nelson.

LAMPASAS COUNTY.

Lampasas—Howard Lewis.

HUNT COUNTY.

Weiland—J. S. Smith, Tom G. Smith.
Wolfe City—W. V. Turner, M. V. Turner.

JOSEPH D. SAYERS,
Governor.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 790.

Also that the House has concurred in Senate amendments to House bill No. 827.

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 790, was read first time, and referred to the Committee on Roads, Bridges and Ferries.

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

House bill No. 827, "An Act to amend Section 40, of an act entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas,' the same being Chapter 7, of the Special Acts of the Regular Session of the Twenty-fifth Legislature, and to add thereto Section 40a, authorizing the creation of the office of boiler inspector, and Section 40b, empowering the city council to provide for refunding money heretofore paid for paving assessments under the front foot rule heretofore existing, and to repeal all laws and parts of laws in conflict herewith."

House bill No. 784, "An Act to provide a more efficient system for working the public roads of Bowie county, regulating the fees of officers where the convicts serve their time by labor on such public roads, and to repeal all laws in conflict herewith."

House bill No. 783, "An Act to amend Title II, Article 3, Section 5, of the charter of the city of Galveston."

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 363, being a bill to be entitled "An Act to amend Article 5066, Title CIV, Chapter 2, Revised Statutes, relating to the rendition, listing and assessment of property for taxation,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, and recommend that the bill be not printed.

GOUGH, Chairman.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 364, being a bill to be entitled "An Act to prohibit counties, cities and towns in this State from contracting any debt or issuing any notes, bonds or other evidences of debt payable in any other medium than the lawful money of the United States of America, and declaring null and void all debts, notes, bonds and other evidences of debt hereafter attempted to be issued by such counties, cities or towns payable in any specific article or articles, whether such article or articles be of existing legal tender quality or not, and repealing all laws in conflict therewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it *do* pass, and the same be not printed.

STAFFORD, Chairman.

Senator Wayland moved to suspend the regular order of business to take up

House bill No. 555, A bill to be entitled "An Act to amend Article 3655, Chapter 1, Title LXXIX, Revised Civil Statutes of the State of Texas, relating to the contracting, hiring or leasing of State convicts by board of commissioners of the penitentiaries to owners, lessees, managers, or receivers of coal mines or collieries."

Senator Gough made the point of order that House bill No. 323 (industrial school bill), was pending business, and that a motion for the previous question on final passage of same had been made and duly seconded, and pending ordering same. the bill had gone to the table under a call of the Senate; that a subsequent adjournment of the Senate dissolved the call, and the bill was now pending business; and that the question was on the motion for the previous question, pending which a motion to suspend was not in order.

Sustained.

The Chair then laid before the Senate, on third reading,

House bill No. 323 (industrial school bill), action being on the motion for the previous question, pending which,

Senator Hanger moved a call of the Senate, which was ordered, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Gough.	Miller.
Greer.	Morriss.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Wayland.
Kerr.	Yett.
Lewis.	

Absent.

Atlee.	Patterson.
Dibrell.	Potter.
Goss.	Ross.
Linn.	Turney.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

No quorum.

Senator Miller moved to adjourn until 3 p. m.

Lost by the following vote:

Yeas—5.

Johnson.	Patterson.
Kerr.	Stone.
Miller.	

Nays—13.

Burns.	Morriss.
Davidson.	Stafford.
Greer.	Terrell.
Hanger.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

Absent.

Atlee.	Linn.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Potter.
Grinnan.	Ross.
James.	Yantis.

Absent—Excused.

Sebastian.

Senator Miller moved to adjourn until 2:45 p. m.

Lost by the following vote:

Yeas—10.

Dibrell.	Lewis.
Gough.	Miller.
James.	Patterson.
Johnson.	Stone.
Kerr.	Turney.

Nays—12.

Burns.	McGee.
Davidson.	Morriss.
Greer.	Stafford.
Grinnan.	Terrell.
Hanger.	Wayland.
Lloyd.	Yett.

Absent.

Atlee.	Odell.
Goss.	Potter.
Linn.	Ross.
Neal.	Yantis.

Absent—Excused.

Sebastian.

A quorum appearing, Senator Miller moved to excuse the absentees on House bill No. 323 (industrial school bill).

Lost by the following vote:

Yeas—9.

Burns.	McGee.
Dibrell.	Miller.
Gough.	Terrell.
James.	Wayland.
Lewis.	

Nays—12.

Davidson.	Lloyd.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Stafford.
Johnson.	Turney.
Kerr.	Yett.

Absent.

Atlee.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

PAIRED.

Senator Stone, present, who would vote *yea*, with Senator Goss, absent, who would vote *nay*.

On motion of Senator Wayland, the regular order of business was suspended to take up, on second reading,

House bill No. 355 (see above).

The bill was read a second time, with adverse majority and favorable minority committee reports.

Senator Wayland moved to substitute the favorable minority for the adverse majority report.

Lost by the following vote:

Yeas—4.

Lloyd.	Miller.
McGee.	Wayland.

Nays—15.

Davidson.	Gough.
Dibrell.	Greer.

Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Turney.
Kerr.	Yett.
Morriss.	

Present—Not voting.

Burns.	Patterson.
--------	------------

Absent.

Goss.	Odell.
Lewis.	Potter.
Linn.	Ross.
Neal.	Yantis.

Absent—Excused.

Sebastian.

The adverse majority report was then adopted.

Senator Morriss moved that the Senate go into Executive Session to consider the Governor's appointments.

Lost by the following vote:

Yeas—7.

Burns.	Stone.
Johnson.	Terrell.
Lloyd.	Yett.
Morriss.	

Nays—14.

Davidson.	Kerr.
Dibrell.	Lewis.
Gough.	Miller.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Turney.
James.	Wayland.

Absent.

Atlee.	Odell.
Goss.	Potter.
Linn.	Ross.
McGee.	Yantis.
Neal.	

Absent—Excused.

Sebastian.

Senator Gough moved to excuse the absentees on House bill No. 323.

Lost by the following vote:

Yeas—9.

Burns.	McGee.
Dibrell.	Miller.
Gough.	Terrell.
Johnson.	Wayland.
Lewis.	

Nays—11.

Davidson.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Turney.
Kerr.	Yett.
Lloyd.	

Absent.

Atlee.	Odell.
James.	Potter.
Linn.	Ross.
Neal.	Yantis.

Absent—Excused.

Sebastian.

PAIRED.

Senator Stone, present, who would vote *yea*, with Senator Goss, absent, who would vote *nay*.

The call of the Senate was then withdrawn.

Action being on the motion for the previous question, the same failed by the following vote:

Yeas—9.

Burns.	McGee.
Dibrell.	Miller.
Gough.	Terrell.
James.	Wayland.
Lewis.	

Nays—12.

Davidson.	Lloyd.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Stafford.
Johnson.	Turney.
Kerr.	Yett.

Absent.

Atlee.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

PAIRED.

Senator Stone, present, who would vote *yea*, with Senator Goss, absent, who would vote *nay*.

Senator Davidson then moved to postpone further consideration of the bill until June 3, 1899.

Senator Gough moved a call of the Senate, which was ordered, the following Senators answering to their names:

Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Lewis.	Yett.

Absent.

Atlee.	Linn.
Goss.	Neal.

Odell. Ross.
Potter. Yantis.
Absent—Excused.

Sebastian.

Senator Hanger moved to excuse the absentees.

Excused by the following vote:

Yeas—14.

Davidson.	Lewis.
Dibrell.	McGee.
Greer.	Morriss.
Grinnan.	Patterson.
Hanger.	Stafford.
Johnson.	Turney.
Kerr.	Yett.

Nays—7.

Burns.	Miller.
Gough.	Terrell.
James.	Wayland.
Lloyd.	

Absent.

Atlee.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

PAIRED.

Senator Stone, present, who would vote *ay*, with Senator Goss, absent, who would vote *yea*.

Pending action on the motion to postpone, Senator James moved to adjourn until 3 p. m.

Lost by the following vote:

Yeas—10.

Dibrell.	McGee.
Gough.	Miller.
James.	Stone.
Lewis.	Terrell.
Lloyd.	Wayland.

Nays—12.

Burns.	Kerr.
Davidson.	Morriss.
Greer.	Patterson.
Grinnan.	Stafford.
Hanger.	Turney.
Johnson.	Yett.

Absent.

Goss.	Yantis.
-------	---------

Absent—Excused.

Atlee.	Potter.
Linn.	Ross.
Neal.	Sebastian.
Odell.	

Pending discussion of the motion to postpone,

Senator Stafford moved to adjourn until 3 p. m.
Adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment. President Pro Tem Stafford in the chair.

Roll called. No quorum, the following Senators answering to their names:

Burns.	Lewis.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Stafford.
Grinnan.	Terrell.
Hanger.	Turney.
James.	Wayland.
Johnson.	Yett.

Absent.

Atlee.	Odell.
Goss.	Patterson.
Kerr.	Potter.
Linn.	Ross.
Lloyd.	Stone.
Neal.	Yantis.

Absent—Excused.

Sebastian.

Senator Davidson moved a call of the Senate, which was ordered, the following Senators answering to their names:

Burns.	McGee.
Davidson.	Miller.
Dibrell.	Morriss.
Greer.	Stafford.
Grinnan.	Terrell.
Hanger.	Turney.
James.	Wayland.
Johnson.	Yett.
Lewis.	

Absent.

Atlee.	Odell.
Goss.	Patterson.
Gough.	Potter.
Kerr.	Ross.
Linn.	Stone.
Lloyd.	Yantis.
Neal.	

Absent—Excused.

Sebastian.

No quorum.

On motion of Senator Terrell, the Senate adjourned until 3:45 p. m.

AFTER ADJOURNMENT.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Burns.	Lewis.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Stafford.
Grinnan.	Stone.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Absent.

Atlee.	Odell.
Goss.	Patterson.
Linn.	Potter.
Lloyd.	Ross.
Neal.	Yantis.

Absent—Excused.

Sebastian.

Senator Miller moved to adjourn until 10 a. m. tomorrow.

Lost by the following vote:

Yeas—7.

Dibrell.	Kerr.
Gough.	Miller.
James.	Yett.
Johnson.	

Nays—14.

Atlee.	McGee.
Burns.	Morriss.
Davidson.	Stafford.
Greer.	Stone.
Grinnan.	Terrell.
Hanger.	Turney.
Lewis.	Wayland.

Absent.

Goss.	Patterson.
Linn.	Potter.
Lloyd.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

It appearing that a quorum was present,

On motion of Senator Stafford, the regular order of business was suspended to take up, on third reading,

House bill No. 826, A bill to be entitled "An Act to make it a penal offense for any person to alter, change, destroy or mutilate any public record or documents authorized, required or permitted by law to be kept by any officer within this State, and to fix the punishment therefor."

The bill was read a third time, and passed.

On motion of Senator Morriss, the reg-

ular order of business was suspended to take up, on second reading,

House bill No. 845, A bill to be entitled "An Act to amend Article 5318, Title CVIII, of the Revised Civil Statutes of the State of Texas, prescribing penalties against trusts and conspiracies against trade."

The bill was read a second time, and passed to a third reading.

On motion of Senator Morriss, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—18.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Greer.	Morriss.
Hanger.	Stafford.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Nays—3.

Gough.	Terrell.
Stone.	

Absent.

Goss.	Patterson.
Grinnan.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

The bill was read a third time, and passed.

On motion of Senator Greer, the regular order of business was suspended to take up, on third reading,

House bill No. 584, A bill to be entitled "An Act to amend Section 18, Chapter 77, of the Acts of the Twenty-fifth Legislature of the State of Texas of 1895, relating to the construction and maintenance of drains, ditches and water courses, and for the improvement and enlargement of natural drainage, etc."

The bill was read a third time, and passed.

On motion of Senator Terrell, the regular order of business was suspended to take up, on second reading,

House bill No. 135, A bill to be entitled "An Act to amend Article 788, Chapter 3, of the Penal Code of the State of Texas, relating to the use of animals without the consent of the owner."

The bill was read a second time, and passed to a third reading.

On motion of Senator Dibrell, the reg-

ular order of business was suspended to take up, on second reading,

House bill No. 811, A bill to be entitled "An Act to require all manufacturers or dealers in manufactured wheat and corn products in original packages, and all manufacturers of flour and meal and feed from the above enumerated products when offering the same for sale, to mark contents and net weight on each package; and prescribing a penalty for the violation of the provisions of this act."

The bill was read a second time, and passed to a third reading.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Stafford.
Grinnan.	Stone.
Hanger.	Turney.
James.	Wayland.
Johnson.	Yett.
Kerr.	

Absent.

Goss.	Patterson.
Linn.	Potter.
Neal.	Ross.
Odell.	Yantis.

Absent—Excused.

Sebastian.

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Dibrell.	Miller.
Gough.	Morriss.
Greer.	Stafford.
Grinnan.	Stone.
Hanger.	Turney.
James.	Wayland.
Johnson.	Yett.
Kerr.	

Nays—1.

Terrell.

Absent.

Goss.	Patterson.
Linn.	Potter.
Neal.	Ross.
Odell.	Yantis.

Absent—Excused.

Sebastian.

On motion of Senator Johnson, the regular order of business was suspended to take up, on second reading,

House bill No. 713, A bill to be entitled "An Act to amend Article 166 and Article 170, Chapter 2, Title IX, of the Revised Civil Statutes of the State of Texas."

The bill was read a second time.

By Senator Dibrell:

"Amend the bill in line 28, by striking out 'fifteen' and substitute in lieu thereof 'six.'"

Adopted by the following vote:

Yeas—15.

Atlee.	Lewis.
Burns.	McGee.
Davidson.	Miller.
Dibrell.	Stafford.
Gough.	Stone.
Grinnan.	Terrell.
James.	Wayland.
Kerr.	

Nays—6.

Greer.	Lloyd.
Hanger.	Morriss.
Johnson.	Yett.

Absent.

Goss.	Potter.
Linn.	Ross.
Neal.	Turney.
Odell.	Yantis.
Patterson.	

Absent—Excused.

Sebastian.

The bill as amended was passed to a third reading.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—19.

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Miller.
Greer.	Morriss.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yett.
Lewis.	

Nays—2.

Gough.	Terrell.
	Absent.
Dibrell.	Patterson.
Goss.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

The bill was read a third time, and passed by the following vote:

Yeas—18.

Atlee.	Lloyd.
Burns.	McGee.
Davidson.	Miller.
Greer.	Morriss.
Grinnan.	Stafford.
Hanger.	Stone.
Johnson.	Turney.
Kerr.	Wayland.
Lewis.	Yett.

Nays—3.

Gough.	Terrell.
James.	

Absent.

Dibrell.	Patterson.
Goss.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 274, A bill to be entitled "An Act to create a more efficient road system for the county of De Witt."

Also Senate bill No. 335, A bill to be entitled "An Act to amend Article 1544, of Chapter 2, Title XXXII, of the Revised Civil Statutes of Texas, and to repeal all laws in conflict therewith."

Also Senate bill No. 360, A bill to be entitled "An Act to amend Article 386c, Title XVIII, Chapter 1, Revised Civil Statutes of the State of Texas, 1895, relating to validating certain incorporations of cities and towns."

Also House bill No. 97, A bill to be entitled "An Act to protect workingmen in the right of organization and the purposes thereof."

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 97

was read first time, and referred to the Committee on Labor.

Hall of the House of Representatives,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

House bill No. 847, A bill to be entitled "An Act to amend Article 5001, Chapter 5, Title CII, of the Revised Civil Statutes of the State of Texas, relating to stock laws."

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 847 was read first time, and referred to Judiciary Committee No. 2.

COMMITTEE REPORTS.

By unanimous consent, the following committee reports were made:

Committee Room,
Austin, Texas, April 11, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 219, being a bill to be entitled "An Act to amend Article 1113, Title XV, Chapter 3, of the Code of Criminal Procedure of the State of Texas, relating to the pay of jurors in criminal cases, and to repeal all laws and parts of laws in conflict with this act,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 277, being a bill to be entitled "An Act to provide for the assessment and collection of taxes on incomes, and to prescribe penalties for false swearing in relation thereto, and for refusing to make renditions thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass, but that it be referred to the Tax Commission.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 443, being a bill to be entitled "An Act to provide for the payment of the bonds of the State of Texas that mature April 21, 1899, and to appropriate \$2630 for that purpose, and to provide a sinking fund for the payment of the bonds of the State of Texas, held by private individuals, that mature March 4, 1904, and April 21, 1909, and provide for the appropriation of \$25,000 August 31, 1899, and \$25,000 August 31, 1900, and provide for the investment of a sinking fund, and constitute a board for that purpose,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

DIBRELL, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 46, being a bill to be entitled "An Act to amend Subdivision 19 of an act entitled 'An Act to amend Article 5049, of Chapter 1, Title CIV, of the Revised Statutes, relating to general occupation taxes,' passed at the First Called Session of the Twenty-fifth Legislature, Chapter 18 of said laws,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

DIBRELL, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: A minority of your Committee on Finance, to whom was referred

House bill No. 46, being a bill to be entitled "An Act to amend Subdivision 19 of an act entitled 'An Act to amend Article 5049, of Chapter 1, Title CIV, of the Revised Statutes, relating to general occupation taxes,' passed at the First Called Session of the Twenty-fifth Legislature, Chapter 18 of said laws,"

Have had the same under considera-

tion, and I am desirous of reporting the same back to the Senate with the recommendation that it *do pass*.

PATTERSON.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 270, being a bill to be entitled "An Act to amend Article 2908, Chapter 6, Title LII, Revised Statutes of the State of Texas, and to provide the qualification of the Commissioner of Agriculture, Insurance, Statistics and History,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, May 22, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 120, being a bill to be entitled "An Act to amend Subdivision 35, of Article 5049, Chapter 1, Title CIV, of the Revised Statutes, relating to general occupation taxes,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

DIBRELL, Chairman.

BILL SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

Senate bill No. 238, "An Act to amend Chapter 4, Title XVIII, of the Revised Civil Statutes of the State of Texas of 1895, by adding after Article 418 Article 418a, empowering cities and towns, incorporated under the general law and by special charter, to condemn private property for use in laying water pipes and mains, establishment of public wells, pumps and pumping stations and reservoirs; providing a method for such condemnation, and declaring an emergency."

On motion of Senator Kerr, the regular order of business was suspended to take up

House bill No. 830, A bill to be entitled "An Act to amend Section 12, of Chapter 54, Acts of 1891, special road law for Grayson, Dallas, Galveston, Brown, Comanche, Mills, Fannin, Travis, Hunt,

Hill, Kaufman and Fayette counties; authorizing the employment of a county road commissioner, adding thereto the proviso that each county commissioner may qualify and act as road commissioner in his precinct."

Pending consideration.

On motion of Senator Gough, the bill was laid on the table subject to call.

On motion of Senator McGee, the regular order of business was suspended to take up, on second reading.

House bill No. 483, A bill to be entitled "An Act to amend Article 3938, Chapter 10, Title LXXXVI, of the Revised Civil Statutes of the State of Texas of 1895, relating to school districts."

The bill was read a second time, and passed to a third reading.

(President Pro Tem. Stafford in the chair.)

On motion of Senator McGee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—19.

Atlee.	McGee.
Burns.	Miller.
Davidson.	Morriss.
Gough.	Stafford.
Greer.	Stone.
Grinnan.	Terrell.
Hanger.	Turney.
James.	Wayland.
Kerr.	Yett.
Lewis.	

Nays—2.

Johnson.	Lloyd.
	Absent.
Dibrell.	Patterson.
Goss.	Potter.
Linn.	Ross.
Neal.	Yantis.
Odell.	

Absent—Excused.

Sebastian.

The bill was read a third time, and passed.

On motion of Senator Miller, the regular order of business was suspended to take up, on second reading.

House bill No. 291, A bill to be entitled "An Act to amend Chapter 6, Title XVII, of the Penal Code of the State of Texas, by adding thereto Articles 839a, 845a, 845b and 845c, defining and punishing the crime of burglary of a private residence at night."

The bill was read a second time.

By Senator McGee:

"Amend by striking out the words 'in like manner,' in line 24. Section 1, page

1, and by inserting the words 'in any manner' in lieu thereof."

Adopted.

By Senator Miller:

"Amend by striking out the words 'a family,' in line 7, page 2, and substituting 'any person or persons.'"

Adopted.

The bill as amended was passed to a third reading.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—19.

Atlee.	Lewis.
Burns.	Lloyd.
Davidson.	McGee.
Gough.	Miller.
Greer.	Morriss.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Johnson.	Wayland.
Kerr.	

Nays—2.

Patterson.	Turney.
	Absent.
Dibrell.	Potter.
Goss.	Ross.
Linn.	Yantis.
Neal.	Yett.
Odell.	

Absent—Excused.

Sebastian.

The bill was read a third time, and passed.

On motion of Senator Lloyd, the regular order of business was suspended to take up, on second reading.

House bill No. 130, A bill to be entitled "An Act to amend Article 2439, of the Revised Civil Statutes of 1895, of the State of Texas, relating to the fees and taxes to be collected by the Secretary of State."

The bill was read a second time, with adverse majority and favorable minority committee reports.

Senator Lloyd moved to substitute the favorable minority for the adverse majority report.

Pending action.

On motion of Senator Greer, further consideration of the bill was postponed until tomorrow after call, and made a special order for that hour.

(Lieutenant-Governor Browning in the chair.)

On motion of Senator Hanger, the regular order of business was suspended to take up, on second reading.

Senate bill No. 362, A bill to be entitled "An Act to repeal an act of the present Legislature, entitled 'An Act to consolidate Soule University of Chappell Hill, Washington county, Texas, and Chappell Hill Female College of the same place, under the name of Chappell Hill Female College, and to incorporate Chappell Hill Female College, and defining its powers and duties, and declaring an emergency.'"

The bill was read a second time.

Pending further action,

BILLS SIGNED.

The Chair gave notice of signing, and did sign, after their captions had been read,

House bill No. 832, "An Act to amend Article 3433, of the Revised Statutes of the State of Texas, of 1895, relating to the organization of militia."

House bill No. 817, "An Act to amend an act known as House bill No. 444, enacted by the Twenty-sixth Legislature, creating a more efficient system of public roads and bridges for Liberty county, providing for the issuance of bonds by said county for the purpose of constructing permanent public roads; to authorize the investment of the permanent school funds of the State and of said county in such bonds; to prescribe and define the powers and duties of the commissioners court in reference thereto, and to validate public roads heretofore laid out and established in said county."

House bill No. 790, "An Act to render more effective and efficient the present road law of the State of Texas in its application and operation in the county of Calhoun, and to authorize and empower the said county to issue bonds for the construction and maintenance of public roads and highways within the said county."

COMMITTEE REPORT.

By unanimous consent, the following committee report was made:

Committee Room,
Austin, Texas, May 23, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Labor, to whom was referred

House bill No. 97, being a bill to be entitled "An Act to protect workingmen in the right of organization, and the purpose thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

On motion of Senator Wayland, the Senate adjourned until 10 a. m. tomorrow.

NINETY-FIRST DAY.

Senate Chamber,

Austin, Texas, Wednesday, May 24, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Neal.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Stafford.
James.	Stone.
Johnson.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Odell.
Goss.	Yantis.
Linn.	

Absent—Excused.

Sebastian.

Prayer by the Chaplain, Rev. Dr. Denson.

Pending the reading of the Journal of yesterday,

On motion of Senator Greer, the same was dispensed with.

INVITATION.

At request of Senator Yett and Representative Sansom the following was read:
To the Senate and House of Representatives.

In behalf of the officers, faculty and students of Southwestern University at Georgetown, the officers and members of the Twenty-sixth Legislature are cordially invited to attend the Commencement Exercises of that institution, to begin on Thursday evening, May 25, and close the following Monday evening.

COMMITTEE REPORT.

Committee Room,
Austin, Texas, May 24, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred